

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 47237-0532-00-US (216940)

In re Application of:  
Kengo AKIMOTO et al.

Confirmation No.: 8835

Application No.: 10/529,014

Group Art Unit: 1618

Filed: May 5, 2005

Examiner: Nissa M. Westerberg

Title: COMPOSITION CONTAINING ARACHIDONIC ACID ALONE OR IN  
COMBINATION WITH DOCOSAHEXAENOIC ACID FOR ENHANCING  
COGNITIVE ABILITIES (As Amended)

**REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT**

Mail Stop: AF  
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Sir:

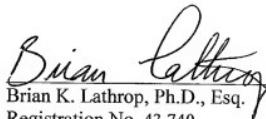
It is respectfully requested that a CORRECTED official Filing Receipt be issued and forwarded to the undersigned. Specifically, the title should read:

COMPOSITION CONTAINING ARACHIDONIC ACID ALONE OR IN COMBINATION  
WITH DOCOSAHEXAENOIC ACID FOR ENHANCING COGNITIVE ABILITIES

A marked-up copy of the official Filing Receipt, together with a copy of the Declaration and Power of Attorney for Patent Application (as-filed), is attached.

Respectfully submitted,  
DRINKER, BIDDLE & REATH LLP

Date: April 20, 2009

By:   
\_\_\_\_\_  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

216940

RLK

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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE RECD	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/529,014	05/05/2005	1761	2780	001560-532	4	35	8

21839  
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CONFIRMATION NO. 8835

## FILING RECEIPT



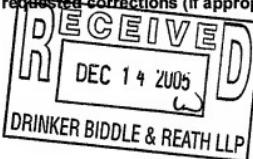
\*OC000000017422806\*

Date Mailed: 11/16/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Kengo Akimoto, Osaka, JAPAN;  
Yoshihiko Koga, Tokyo, JAPAN;



## Assignment For Published Patent Application

Suntory Limited, Osaka, JAPAN

Power of Attorney: The patent practitioners associated with Customer Number 21839.

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/JP03/12107 09/22/2003

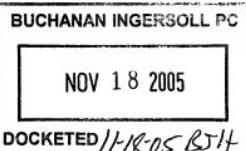
## Foreign Applications

JAPAN 2002-277305 09/24/2002

Projected Publication Date: 02/16/2006

Non-Publication Request: No

Early Publication Request: No



Title

Transfer Case

001560-532  
RLG/SMD/NEW

**Composition with effects of decline prevention, improvement or enhancement of normal responses of cognitive abilities of a healthy person**

**Preliminary Class** 426 Composition containing arachidonic acid alone or in combination with docosahexaenoic acid for enhancing cognitive abilities (as amended)

## **PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process simplifies the filing of patent applications on the same invention in member countries, but does not result in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-788-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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Title 37, Code of Federal Regulations, 5.11 & 5.15**

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## Declaration and Power of Attorney for Patent Application

## 特許出願宣言書及び委任状

## Japanese Language Declaration

## 日本語宣言書

私は、以下に記名された発明者として、ここに下記の通り宣言する：

As a below named inventor, I hereby declare that:

私の住所、郵便の宛先そして国籍は、私の氏名の後に記載された通りである。

My residence, post office address and citizenship are as stated next to my name.

下記の名前で発明について、特許請求範囲に記載され、且つ特許が求められている発明主題に関して、私は、最初、最先且つ唯一の発明者である（唯一の氏名が記載されている場合）か、或いは最初、最先且つ共同発明者である（複数の氏名が記載されている場合）と信じている。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**COMPOSITION CONTAINING ARACHIDONIC ACID ALONE OR IN COMBINATION WITH**

**DOCSOSAHEXAENOIC ACID FOR ENHANCING COGNITIVE ABILITIES**

上記発明の明細書はここに添付されているが、下記の額がチェックされている場合は、この類でない：

の日に出版され、  
 この出版の米国出版番号またはPCT国際出版番号は、  
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 \_\_\_\_\_ の日に修正された出版（該当する場合）

私は、上記の修正書によって修正された、特許請求範囲を含む上記明細書を検討し、且つ内容を理解していることをここに表明する。

私は、並非規則法典第37条規則1.56に定義されている、特許性について重要な情報を示す義務があることを認める。

the specification of which is attached hereto unless the following box is checked:

was filed on September 22, 2003  
as United States Application Number or  
PCT International Application Number  
PCT/JP03/12107 and was amended on  
(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the need of the individual case. Any comments on the amount of time you are required to complete this form should be sent to Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner of Patents and Trademarks, Washington, DC 20231.

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# Japanese Language Declaration (日本語宣言書)

私は、ここに、以下に記載した外国での特許出願または発明者証の出願、或いは米国以外の少なくとも一国を指定している米国法典第35編第365条(a)によるPCT国際出願について、同第119条(a)-(d)項又は第365条(b)項に基づいて優先権を主張するとともに、優先権を主張する本出願の出願日よりも前の出願日を有する外国での特許出願または発明者証の出願、或いはPCT国際出願についていかなる出願も、下記の件名をチェックすることにより示した。

Prior Foreign Application(s)  
外国での先行出願

2002-277305 (Pat. Appln.)	Japan
(Number) (番号)	(Country) (国名)
(Number) (番号)	(Country) (国名)

私は、ここに、下記のいかなる米国仮特許出願についても、その米国法典第35編第119条(e)項の利益を主張する。

(Application No.) (出願番号)	(Filing Date) (出願日)
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私は、ここに、下記のいかなる米国出願についても、その米国法典第35編第120条に基づく利益を主張し、又米国を指定するいかなるPCT国際出願についても、その米国法典第365条(c)に基づく利益を主張する。また、本出願の各特許請求の範囲の主張が、米国法典第35編第112条第1段に規定された様様で、先行する米国出願又はPCT国際出願に開示されていない場合においては、その先行出願の出願日と本国内出願日またはPCT国際出願との間の期間中に入手された情報で、選択規則法典第37編規則1.56に定義された特許性に関わる重要な情報について開示義務があることを承認する。

(Application No.) (出願番号)	(Filing Date) (出願日)
(Application No.) (出願番号)	(Filing Date) (出願日)

私は、ここに表明された私自身の知識に係わる述達が其実であり、且つ措置と信ずることに基づく述達が、其実であると信じられることを宣言し、さらに、故意に虚偽の述達などを行った場合は、米国法典第18編第1001条に基づき、罰金または拘禁、若しくはその両方により处罚され、またそのような虚偽による虚偽の述達は、本出願またはそれに対して発行されるいかなる特許も、その有効性に問題が生じることを述べた上で述達が行われたことを、ここに宣言する。

I hereby claim foreign priority under Title 35, United States Code, Section 119(p)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application for which priority is claimed.

Priority Not Claimed  
優先権主張なし

24/September/2002	<input type="checkbox"/>
(Day/Month/Year Filed) (出願日/月/年)	
(Day/Month/Year Filed) (出願日/月/年)	

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.

(Application No.) (出願番号)	(Filing Date) (出願日)
-----------------------------	------------------------

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or 365(c) of any PCT International application designating the United States, listed below and, ifso, as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of application.

(Status: Patented, Pending, Abandoned) (状況: 特許許可、待願中、放棄)	<input type="checkbox"/>
(Status: Patented, Pending, Abandoned) (状況: 特許許可、待願中、放棄)	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Japanese Language Declaration  
(日本語宣言書)

委任状：私は本出願を審査する手続を行い、且つ米国特許商標局との全ての交渉を遂行するために、認名された発明者として、下記の弁理士及び／または弁理士を任命する。（氏名及び登録番号を記載すること）

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith (list name and registration number).

書類送付先



21839

PATENT TRADEMARK OFFICE

Send Correspondence to:

Burns, Doane, Swecker & Mathis, L.L.P.  
P.O. Box 1404  
Alexandria, Virginia 22313-1404

直通電話連絡先：（氏名及び電話番号）

Direct Telephone Calls to: (name and telephone number)

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Full name of sole or first inventor

Kengo Akimoto

Inventor's signature

Date

April 15, 2005

発明者の署名

日付

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Citizenship

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第二共同発明者がいる場合、その氏名

Full name of second joint inventor, if any

Yoshihiko Koga

Second Inventor's signature

Date

April 15, 2005

発明者の署名

日付

Residence

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住所

Citizenship

Japanese

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Post Office Address

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Tokyo 158-0093, Japan

(第三以下の共同発明者についても同様に記載し、署名をすること)

(Supply similar information and signature for third and subsequent joint inventors.)